

**POLICY AND LAW COMMITTEE MEETING
OCTOBER 11, 2007 – 1 PM
APPOQUINIMINK STATE SERVICE CENTER – MIDDLETOWN, DE**

Present: Bob Osgood, SCPD; Brian Hartman, DLP; Jamie Wolfe, Consumer; Connie Hughes, DELARF; Tony Horstman, Parent; Carolanne O'Brien, DVR; Pat Maichle, DDC; Susan Cyclic, DSCYF; Kyle Hodges, Staff

Absent: Daniese McMullin-Powell, SCPD; Chris Long, DHSS/DDDS; Brian Bard, Consumer; Marge Turner, UCP; Norwood Coleman, Family Member; Cookie Austin, Parent; Kim Siegel, ASD; Tim Brooks, CDS; Wendy Strauss, GACEC; Karen Lazar, Ombudsman's Office; Lora Lewis, DPH; Ray Brouillette, Easter Seals; Rita Landgraf, SCPD; Regina Byers, GCAAPD; Liz Schantz, Consumer

CALL TO ORDER

Bob Osgood called the meeting to order at 1:15 PM

ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda

APPROVAL OF MINUTES

The minutes from the September 13, 2007 meeting were approved as submitted.

REVIEW OF REGULATIONS AND POLICIES

1. DOT Final Refueling Assistance Regulation [11 DE Reg. 517 (October 1, 2007)] – Kyle provided a brochure and letter to licensed retailers from DelDOT which contains specifics regarding relevant laws and regulations about refueling assistance. Motion was made, seconded and approved for SCPD to send communication consistent with Brian's memo. It was noted that Council may want to share information quickly to get the appropriate correction in the December 1, 2007 Registry. Kyle will email Michael Harrell today.

2. Delaware Psychiatric Center Task Force [Exec. Order 100, 11 DE Reg. 519 (October 1, 2007)] - Kyle noted that Council has not submitted its letter endorsing DLP comments since it was waiting for final approval from the Victims' Rights Task Force on its letter regarding the PM 46 Policy. SCPDs Motion was made, seconded and approved for SCPD to try to obtain the referenced materials and monitor this issue.

3. Child Poverty Task Force [Executive Order 101, 11 DE Reg. 520 (October 1, 2007)] – Motion was made, seconded and approved for SCPD to offer its assistance to the Task Force in the context of disability related issues. The letter could be prefaced with the observations in Brian's memo. In

addition, the letter could indicate that SCPD has reviewed the DSHA needs assessment draft Executive Summary and encourage the Task Force to consider some of the findings in that report. Housing is a big budget items for families. Kyle will contact the appropriate person to determine whom to send the letter.

4. DSS Proposed Food Stamp Notice Regulation [11 DE Reg. 443 (October 1, 2007)] – Motion was made, seconded and approved for SCPD to write a letter to DSS consistent with Brian’s memo.

5. DMMA Prop. Nursing Home Reimbursement Regulation [11 DE Reg. 427 (October 1, 2007)] - Motion was made, seconded and approved for SCPD to write a letter to DMMA consistent with Brian’s memo.

6. DOE Elementary School Counselor Regulation [11 DE Reg. 404 (October 1, 2007)] - Motion was made, seconded and approved for SCPD to write a letter to DOE consistent with Brian’s memo.

7. DOE Secondary School Counselor Regulation [11 DE Reg. 420 (October 1, 2007)] - Motion was made, seconded and approved for SCPD to write a letter to DOE consistent with Brian’s memo.

8. DOE Proposed School Police Relations Regulation [11 DE Reg. 399 (October 1, 2007)] - Motion was made, seconded and approved for SCPD to write a letter to DOE consistent with Brian’s memo.

9. DDDS Proposed Eligibility Regulation [11 DE Reg. 423 (October 1, 2007)] – It was noted that DDDS shared a preliminary draft in April 2007. SCPD endorsed DLPs comments at an April 26, 2007 meeting with DDDS and then formally commented on the proposed regulations in July 2007. Regarding the 8th observation and IQs, it was agreed that SCPD “still strongly recommends” the 1st recommendation, while noting a “less desirable option” would be the 2nd recommendation. Motion was made, seconded and approved for SCPD to send a letter consistent with Brian’s memo and the aforementioned recommendation.

10. DSAMH Prop. Substance Abuse Facility Licensing Regs. [11 DE Reg. 448 (October 1, 2007)] – It was agreed to add “other communication technologies” in the 2nd observation. In addition, it was agreed to add another observation (22nd) consistent with the following: The regulations to do not appear to include a standard in the context of criminal background checks. The regulations would benefit from such a reference. Motion was made, seconded and approved for SCPD to send a letter consistent with Brian’s memo and the aforementioned recommendations.

11. DMMA Prop. ABI Medicaid Waiver [11 DE Reg. 442 (October 1, 2007)] – Regarding Brian’s 10th observations it was agreed to add the following sentence at the end: “Alternatively, this population could be identified as a priority under the “second priority” criteria which is provided to non- participants in the E&D and AL waivers.”In addition, regarding the 20th observations, it was agreed to endorse the provision, but also recommend that meetings be at the location where services are being provided.

12. New Castle County Ordinance 07-131 – Brian a memo he submitted to the SCPD in September since a vote on the NCC ordinance was expected prior to the SCPD’s P&L Committee meeting on

October 11. The SCPD issued a conforming letter.

OTHER ISSUES

Carolanne provided information from the Treatment Advocacy Center regarding Kendra's Law and assisted outpatient treatment for people with mental illness. This has been address by a coalition of individuals in the past. Discussion ensued as to whether SCPD should pursue some type of legislation in this context. Given the DPC issues, it was agreed that SCPD would not initiate any path forward at this time.

ADJOURNMENT

The meeting was adjourned at 3:15 PM.

Respectively submitted,

Kyle Hodges
SCPD Administrator
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